Serial No. 09/960,368

REMARKS/ARGUMENTS

In item 2 on page 2 of the office action the examiner notes a minor

informality in claim 16 which can be corrected by inserting "one" after "said" and

deleting "one" after "more". Applicant has corrected this informality.

The examiner has rejected claims 28-33 and 35 under the judicially created

doctrine of obviousness-double patenting as being unpatentable over claim 8 of

U.S. patent no. 6,306,490. The examiner notes in item 3 on page 2 of the office

action that a timely filed terminal disclaimer will overcome the obviousness-type

double patenting rejection.

Applicant submits that the obviousness-type double patenting rejection

should be withdrawn since an appropriate terminal disclaimer was previously filed

with applicant's response dated February 25, 2003. A copy of the aforementioned

previously filed terminal disclaimer is enclosed herewith along with a copy of the

stamped and dated receipt card which shows that the terminal disclaimer was

received by the Patent Office on February 25, 2003, along with payment of the

appropriate government fee.

In view of the previously submitted terminal disclaimer, the amendment to

Respectfully submitted,

Joseph DeBenedictis

Registration No. 28,502

claim 16 and the examiner's indication that claims 13, 15, 17-27, 34 and 36 are

allowed, applicant respectfully requests reconsideration of the rejection and

allowance of all the claims which are currently pending in the application.

Date: March 30, 2004

BACON & THOMAS

625 Slaters Lane, Fourth Floor

Alexandria, Virginia 22314

Phone: (703) 683-0500

S:\Producer\jdb\TRESPAPHAN GMBH\Biddiscombe 960368\Amend 04.wpd

-6-